

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6459**

**BILL NUMBER:** SB 100

**NOTE PREPARED:** Dec 8, 2006

**BILL AMENDED:**

**SUBJECT:** Park Board Responsibility for Shade Trees.

**FIRST AUTHOR:** Sen. Alting

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** The bill allows a city, under the general parks and recreation law, to adopt an ordinance giving the park and recreation board exclusive control over the planting and maintenance of shade trees along the city's public ways. The bill provides that, in a city that has adopted the ordinance, the park and recreation board may: (1) compel owners of land bordering a public way to plant and maintain shade trees and lawns and street centers; and (2) levy an assessment against the abutting landowners for the cost of the improvement. The bill also makes a technical correction.

**Effective Date:** July 1, 2007.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** Under the bill, municipalities that adopt an ordinance can assume additional responsibility for expenditures regarding shade trees along public ways and for recouping those expenditures from owners of lots and parcels along the public ways. Under current law, this specific authority is already granted to second and third class cities. The impact to local expenditures will depend on municipal governing body action.

**Explanation of Local Revenues:** See *Explanation of Local Expenditures*.

**State Agencies Affected:**

**Local Agencies Affected:** Municipalities.

**Information Sources:**

**Fiscal Analyst:** Chris Baker, 317-232-9851.